

Remarks

Claims 66-83 are pending in the subject application. By this Amendment, Applicants have canceled claims 73, 74, 82 and 83 and amended claims 66, 71, 72, 75, 80 and 81. Support for the amendments can be found throughout the subject specification and in the claims as originally filed (see, for example, page 16, lines 19-20). Entry and consideration of the amendments presented herein is respectfully requested. Accordingly, claims 66-72 and 75-81 are currently before the Examiner. Favorable consideration of the pending claims is respectfully requested.

As an initial matter, Applicants gratefully acknowledge the Examiner's indication that claims 67-70 and 76-79 are objected to but would be allowable if rewritten into independent form to include the limitations of any base and intervening claims.

The subject specification has been objected to on the grounds that it does not comply with 37 CFR §1.821 through 1.825. Specifically, no sequence identification has been provided for the nucleic acid sequences in Table 1 on page 56 of the subject specification. By this Amendment, Applicants have amended Table 1 to include the sequence identifier numbers. Applicants note that the sequence identifier numbers are the only information being added to the table. The six amino acids of the "GCP Forward" primer in Table 1 should remain underlined as they refer to the Kodak sequence. Accordingly, reconsideration and withdrawal of the objection is respectfully requested.

Claims 66, 71, 73, 75, 80 and 82 are rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,914,046 (Hirsch *et al.*). The Office Action states that Hirsch *et al.* teach a protein which has 94.6% amino acid sequence identity to SEQ ID NO: 8 of the subject application. Applicants respectfully assert that the Hirsch *et al.* patent does not anticipate the claimed invention as it fails to meet the limitations of the claimed invention. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 102(e) is respectfully requested.

Claims 66, 72, 74, 75, 81 and 82 are rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,013,773 (Kobayashi *et al.*). The Office Action indicates that Kobayashi *et al.* teach a protein which has 94.5% amino acid sequence identity to SEQ ID NO: 10 of the subject application. Applicants respectfully assert that the Kobayashi *et al.* patent does not anticipate the claimed invention as each of the limitations of the claimed invention are not taught. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 102(b) is respectfully requested.

It should be understood that the amendments presented herein have been made solely to expedite prosecution of the subject application to completion and should not be construed as an indication of Applicants' agreement with or acquiescence in the Examiner's position. Applicants expressly reserve the right to pursue the invention(s) disclosed in the subject application, including any subject matter canceled or not pursued during prosecution of the subject application, in a related application.

In view of the foregoing remarks and amendments to the claims, Applicants believe that the currently pending claims are in condition for allowance, and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees under 37 CFR §§1.16 or 1.17 as required by this paper to Deposit Account No. 19-0065.

Applicants invite the Examiner to call the undersigned if clarification is needed on any of this response, or if the Examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,



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